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2/6/2014

WQC number: 089-I001-WQC-1

Public Notice

Closing Date:
3/7/2014

This letter serves as the formal notice of the receipt of an application for a Section 401 Water Quality Certification by the Kentucky Division of Mine Permits (KDMP). The purpose of this notice is to inform the public of active applications awaiting certification under Section 401 of the Clean Water Act (33 U.S.C. § 1341) and to solicit comments and information on any impacts to water quality as it related to the specific project. DMP will evaluate whether the project complies with Kentucky's water quality standards.

The comment period will run for 30 days, as is indicated in the upper portion of this notice. Any person who wishes to comment or receive information pertaining to the pending WQC application, must contact the WQC coordinator at 502 564-2320, or submit comments to: Water Quality Certification 2 Hudson Hollow, Frankfort KY 40601, within the 30 day comment period. All comments will be reviewed and water quality issues will be considered during the review process.

The public may review the detailed Compensatory Mitigation Plan at the Division of Mine Permits office at: #2 Hudson Hollow Frankfort, KY 40601

COMMONWEALTH OF KENTUCKY
ENVIRONMENTAL AND PUBLIC PROTECTION CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE PERMITS

APPLICATION FOR WATER QUALITY CERTIFICATION
FOR SURFACE COAL MINING ACTIVITIES

The Clean Water Act Section 401 Water Quality Certification (WQC) program in Kentucky ensures that activities which may involve a discharge into waters of the State which require federal permit or license are consistent with Kentucky's water quality standards found in 401 KAR Chapter 5. The Environmental and Public Protection Cabinet has authorized the Department for Natural Resources to issue water quality certifications related to surface coal mining operations. The project may not start until all necessary approvals are obtained. For questions concerning the WQC process, contact the WQC Coordinator at 502/564-2320.

1. OWNER:

Kentucky Division of Abandoned Mine Lands

Give name of person(s), company, governmental unit, or other owner of proposed project.

MAILING ADDRESS:

2521 Lawrenceburg Rd.

Frankfort, KY 40601

TELEPHONE #: 502-564-2141

EMAIL: jason.robinson@ky.gov

2. AGENT:

N/A

Give name of person(s) submitting application, if other than owner.

ADDRESS:

N/A

N/A

TELEPHONE #: N/A

EMAIL: N/A

3. CONSULTANT N/A

TELEPHONE #: N/A

EMAIL: N/A

4. DESCRIPTION OF CONSTRUCTION:

This multi-phase project will reclaim abandoned mine impoundments and restore two sections of stream. The reclamation work will also address acid forming materials that generate acid mine drainage that has severely degraded the water quality of Andrews Run.

Two stream sections will have the acidic base materials removed and replaced with clean spoil mixed with high purity limestone and clean limestone rock to construct stable natural channels with floodplain surfaces.

The acidic impoundments will be treated to water quality standards and drained and filled with spoil mixed with high purity limestone rock and planted with either wildlife vegetation for native trees. Two wetlands will be constructed for water quality improvement. Flood control devices will be installed to allow the landowner (KY Fish & Wildlife) to manage them for vegetation control and potential food plots. One wetland will be entirely within an impoundment. The second wetland will be constructed across land that is currently an isolate impoundment, uplands, and open impoundment connected to Andrews Run.

Describe the type and purpose of construction and describe stream impact

Environmental and Public Protection Cabinet
Department for Natural Resources

Form DNR-WQC 2/07

5. COUNTY: Muhlenberg NEAREST COMMUNITY: Drakesboro / Paradise

6. USGS QUAD NAME: Rochester

LATITUDE/LONGITUDE: 37.23193° N; 86.959964°W

7(a). STREAM NAME (List all stream reaches affected):

Andrews Run

WATERSHED SIZE (above the toe of permanent structure for each stream reach) in acres:

Andrews Run- 550 Acres

LINEAR FEET OF EACH STREAM IMPACTED (including flow regimes):

- Impoundment 1- 2 acres of impounded acidic mine water, isolated, >6.6' avg depth
- Impoundment 2- 1 acres of impounded acidic mine water, isolated, >6.6' avg depth
- Impoundment 3- 4 acres of impounded acidic mine water, isolated, >6.6' avg depth
- Impoundment 4- 0.5 acres of impounded acidic mine water, isolated, >6.6' avg depth
- Impoundment 5- 2 acres of impounded acidic mine water, isolated, >6.6' avg depth
- Impoundment 6- 0.3 acres of impounded acidic mine water, isolated, >6.6' avg depth
- Impoundment 7- 2 acres of impounded acidic mine water, isolated, >6.6' avg depth
- Impoundment 8- 2 acres of impounded acidic mine water, isolated, >6.6' avg depth
- Stream Channel 1- 700 LF of eroded channel from upland acidic mine materials to Andrews Run, avg width 2', avg depth 2-3'
- Stream Channel 2- 870 LF of sediment laden Andrews Run channel, average width 4', avg depth 6"

7(b). WETLANDS (Provide acreage of wetlands impacted): 0

8. DIRECTIONS TO SITE:

From Central City take US 431 South to KY 70. Take KY 70 East to Riverside Road. Take Riverside Road to the project entrance at 37.23193°N, 86.95996°W.

9. HAS AN APPLICATION FOR A CORPS OF ENGINEERS 404 PERMIT BEEN SUBMITTED?

☒ Yes ☐ No TYPE OF PERMIT: NW 14 ☐ NW 21 ☐ NW 27 ☒ Individual ☐

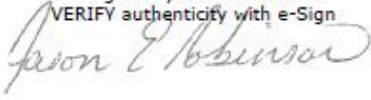
10. DNR (SMCRA) Permit No. NA and KPDES No. AML GENERAL are associated with this mining activity.

11. LIST OF ATTACHMENTS: List plans, profiles, or other drawings and data submitted. Attach a copy of a 7.5 minute USGS topographic map clearly showing the project location.

COE permit application packet, COE permit

I hereby request approval for construction across or along a stream as described in this application and any accompanying documents. To the best of my knowledge, all the information provided is true and correct.

SIGNATURE:

E-Signed by Jason Robinson
VERIFY authenticity with e-Sign


Owner or Agent sign here. (If signed by Agent, a Power of Attorney should be attached.)

DATE: 1-23-14

SUBMIT APPLICATION AND ATTACHMENTS TO:

**WQC Coordinator
Division of Mine Permits
2 Hudson Hollow
Frankfort, KY 40601**

